

CHAPTER 13 PLAN
UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI

Debtor: Duane C Westbrook SSN: XXX-XX-4882 CASE NO. _____
 Joint Debtor: _____ SSN: XXX-XX- Median Income: Above Below
 Address: 354 Rosehart Avenue
Pass Christian, MS 39571

THIS PLAN DOES NOT ALLOW CLAIMS. Creditors must file a proof of claim to be paid under any plan that may be confirmed. The treatment of ALL secured and priority debts must be provided for in this plan.

PAYMENT AND LENGTH OF PLAN

The plan period shall be for a period of 60 months, not to be less than 36 months for below median income debtor(s), or less than 60 months for above median income debtor(s).

(A) Debtor shall pay \$ 580.00 (monthly, semi-monthly, weekly, or bi-weekly) to the chapter 13 trustee. Unless otherwise ordered by the Court, an Order directing payment shall be issued to Debtor's employer at the following address:
DFAS
Room 1907, 1240 #. 9th St (CP1)
Cleveland, OH 44199

(B) Joint Debtor shall pay \$ _____ (monthly, semi-monthly, weekly, or bi-weekly) to the chapter 13 trustee. Unless otherwise ordered by the Court, an Order directing payment shall be issued to Debtor's employer at the following address:

PRIORITY CREDITORS.

Filed claims which are not disallowed are to be paid in full or as ordered by the Court as follows:

Internal Revenue Service: \$ 6,324.98 at \$ 105.42 /month
 Mississippi Dept. of Revenue: \$ _____ at \$ _____ /month
 Other/ _____ : \$ _____ at \$ _____ /month

DOMESTIC SUPPORT OBLIGATION. DUE TO:

Amelia Westbrook

18144 Manning Drive

Prairieville, TN 70769

POST PETITION OBLIGATION: In the amount of \$ 450.00 per month beginning 4/1/2015.

To be paid direct, through payroll deduction, or through the plan.

PRE-PETITION ARREARAGE: In the total amount of \$ 0.00 through _____ which shall be paid in the amount of \$ _____ per month beginning _____.
 To be paid Direct, through payroll deduction, or through the plan.

HOME MORTGAGES. All claims secured by real property which are to be paid through the plan shall be scheduled below. Absent an objection by a party in interest, the plan will be amended consistent with the proof of claim filed herein, subject to the start date for the continuing monthly mortgage payment proposed herein.

Mtg pmts to none Beginning _____ @ \$ _____ Plan Direct
 Mtg pmts to _____ Beginning _____ @ \$ _____ Plan Direct
 Mtg pmts to _____ Beginning _____ @ \$ _____ Plan Direct

Mtg arrears to none Through _____ \$ _____ @ \$ _____ /mo
 Mtg arrears to _____ Through _____ \$ _____ @ \$ _____ /mo
 Mtg arrears to _____ Through _____ \$ _____ @ \$ _____ /mo

Debtor's Initials DW

Joint Debtor's Initials _____

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MORTGAGE CLAIMS TO BE PAID IN FULL OVER PLAN TERM:

Creditor: _____ Approx. amt. due: _____ Int. Rate: _____
 Property Address: _____ Are related taxes and/or insurance escrowed Yes No

Creditor: _____ Approx. amt. due: _____ Int. Rate: _____
 Property Address: _____ Are related taxes and/or insurance escrowed Yes No

NON-MORTGAGE SECURED CLAIMS. Creditors that have filed claims that are not disallowed are to retain lien(s) pursuant to 11 U.S.C. § 1325(a)(5)(B)(i)(I) until the payment of the debt determined as under non-bankruptcy law or discharge. Such creditors shall be paid as secured claimants the sum set out below or pursuant to other order of the Court. The portion of the claim not paid as secured shall be treated as a general unsecured claim.

<u>CREDITOR'S NAME</u>	<u>COLLATERAL</u>	<u>910* CLM</u>	<u>APPROX. AMT. OWED</u>	<u>INT. VALUE</u>	<u>PAY RATE</u>	<u>VALUE OR AMT. OWED</u>
First State Bank	189 Sport Nitro Boat		\$4,523.00	\$10,000.00	5%	\$4523.00 +5% @ \$85.56 mth

* The column for "910 CLM" applies to both motor vehicles and "any other thing of value" as used in the "hanging paragraph" of 11 U.S.C. § 1325

SPECIAL CLAIMANTS including, but not limited to, co-signed debts, abandonment of collateral, direct payments by Debtor, etc. For all abandoned collateral Debtor will pay \$0.00 on the secured portion of the debt. Where the proposal is for payment, creditor must file a proof of claim to receive proposed payment.

<u>CREDITOR'S NAME</u>	<u>COLLATERAL</u>	<u>APPROX. AMT. OWED</u>	<u>PROPOSED TREATMENT</u>
Capital One Auto Finance	2011 Chevy Cobalt	\$11,812.00	Rel int. to cosigner
Consumer Portfolio	2009 Cadillac	\$20,292.00	Rel int. to cosigner
Commerce Bank	unsec debt	\$4,105.16	to be pd zero sol exp
HSBC	unsec debt	\$5279.40	to be pd zero sol exp
mcydsnb	unsec debt	\$1,891.00	to be pd zero sol exp
United Consumer	Unsec debt	\$635.00	to be pd zero sol exp

STUDENT LOANS which are not subject to discharge pursuant to 11 U.S.C. §§ 523(a)(8) and 1328(c) are as follows (such debts shall not be included in the general unsecured total):

<u>CREDITOR'S NAME</u>	<u>APPROX. AMT. OWED</u>	<u>CONTRACTUAL MO. PMT.</u>	<u>PROPOSED TREATMENT</u>

SPECIAL PROVISIONS which may apply to any or all payments to be paid through the plan, including, but not limited to, adequate protection payments:

GENERAL UNSECURED CLAIMS total approximately \$ 17,183.00. Such claims must be *timely filed* and not disallowed to receive payment as follows: XX IN FULL (100%), 100 %(percent) MINIMUM, or a total distribution of \$ _____, with the Trustee to determine the percentage distribution. ***Those general unsecured claims not timely filed shall be paid nothing, absent order of the Court.***

Debtor's Initials DW

Joint Debtor's Initials _____

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Total attorney fee charged: \$ 3,200.00
Attorney fee previously paid: \$ 690.00
Attorney fee to be paid in plan: \$ 2,510.00

The payment of administrative costs and aforementioned attorney fees are to be paid pursuant to Court order and/or local rules.

Automobile Insurance Co/Agent

Attorney for Debtor (Name/Address/Phone/Email)

James Clayton Gardner, Sr.

3012 Canty Street

Pascagoula, MS 39567

Telephone/Fax: _____

Telephone No. 228-762-6555

Facsimile No. 228-762-6589

Email address debbie@gardnerlawfirmpc.com

DATED: 3-27-15 DEBTOR'S SIGNATURE

Dwene Westbrooks

JOINT DEBTOR'S SIGNATURE

ATTORNEY'S SIGNATURE

ADDITIONAL SECURED CLAIMS.

CREDITOR'S NAME	COLLATERAL	910 CLAIM	APPROX. AMT. OWED	INT. RATE	PAY VALUE OR AMT. OWED

ADDITIONAL SPECIAL CLAIMANTS.

CREDITOR'S NAME	COLLATERAL	APPROX. AMT. OWED	PROPOSED TREATMENT
JCPenny/syncb	unsec	\$963.01	to be pd zero sol exp.
Merrick Bank	unsec debt	\$916.00	to be pd zero sol exp
Mid Continent Credit	unsec debt	\$391.00	to be pd zero sol exp
Ashro	unsec debt	\$236.00	to be pd zero sol exp
Capital One	unsec debt	\$3148.00	to be pd zero sol exp
Fingerhut	unsec debt	\$438.00	to be pd zero sol exp
Goodyear/cbna	unsec debt	\$1215.00	to be pd zero sol exp

ADDITIONAL SPECIAL PROVISIONS.**ADDITIONAL DOMESTIC SUPPORT OBLIGATION**

DUE TO: _____

POST PETITION OBLIGATION: In the amount of \$_____ per month beginning _____.
 To be paid direct, through payroll deduction, or through the plan.

PRE-PETITION ARREARAGE: In the total amount of \$_____ through _____ which shall be paid in
 the amount of \$_____ per month beginning _____.
 To be paid direct, through payroll deduction, or through the plan.

ADDITIONAL SPECIAL CLAIMANTS.

CREDITOR'S NAME	COLLATERAL	APPROX. AMT. OWED	PROPOSED TREATMENT
Midnight Velvet	unsec. debt	\$228.00	to be pd zero sol exp
Montgomery Ward	unsec. debt	\$285.00	to be pd zero sol exp
THD/CBNA	unsec. debt	\$5087.00	to be pd zero sol exp
Zale's	unsec. debt	\$2446.00	to be pd zero sol exp

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